

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CEDRIC MICHAEL WHALEY

Plaintiff,

v.

LUPE VALDEZ

Defendant.

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Civil No. 3:07-CV-1372-K (BH)

ORDER

After making an independent review of the pleadings, files and records in this case, and the Findings, Conclusions, and Recommendation of the of the United States Magistrate Judge, I am of the opinion that the Findings, Conclusions, and Recommendation of the Magistrate Judge are correct and are adopted as the Findings and Conclusions of the Court.

It is therefore ORDERED that the Findings, Conclusions, and Recommendation of the United States Magistrate Judge are adopted. Defendant's Objections to the Magistrate Judge's Findings, Conclusions and Recommendations, filed on May 7, 2008, are hereby **OVERRULED**.

Defendant Lupe Valdez's *Motion for Summary Judgment Based on Qualified Immunity*, filed January 23, 2008, is hereby **DENIED**.

SO ORDERED.

Signed: May 20th, 2008.



ED KINKEADE

UNITED STATES DISTRICT JUDGE